

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

ORLANDO RODRÍGUEZ, et al

Plaintiffs

v.

CROWLEY TOWING & TRANSPORTATION CO.
AND SEAFARERS INTERNATIONAL UNION

Defendants

CIVIL NO. 98-1548 (CCC)
Consolidated with
CIVIL NO. 97-2437 (CCC)

**MOTION REQUESTING LEAVE TO REPLY TO
ANGEL ORTIZ ANGLERÓ AND REINALDO ILARRAZA'S
OPPOSITION TO CROWLEY TOWING & TRANSPORTATION CO. AND SEAFARERS
INTERNATIONAL UNION MOTIONS FOR SUMMARY JUDGMENT
AND EXTENSION OF TIME TO OPPOSE MOTION FOR SUMMARY JUDGMENT**

TO THE HONORABLE COURT:

NOW COMES co-defendant Crowley Towing and Transportation Co. (hereinafter "Crowley"), through the undersigned attorneys, and very respectfully states and prays as follows:

1. On January 29, 1999 Crowley filed a Motion for Summary Judgment [docket 41], requesting that Plaintiffs' claims against it be dismissed insofar as under the uncontested facts involved, no real genuine controversy of material facts exists to be tried; and under the law, Crowley is entitled to judgment in its favor.

2. On August 24, 2004, Crowley received copy of the Plaintiffs' Combined Response to Defendants' Motions for Summary Judgment [docket 121] filed by Plaintiffs on that same date.

3. On September 1, 2004 Crowley filed a Motion Requesting Leave to File Reply to Plaintiffs' Combined Response to Defendants' Motions for Summary Judgment [docket 123]. In the Motion Crowley requested leave to file a reply brief by September 21, 2004.

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4. On September 30, 2004 Plaintiffs Angel Ortiz Angleró and Reinaldo Ilarraza filed another Motion in Opposition to Crowley Towing and Transportation Co. and Seafarers International Union Motions for Summary Judgment [docket 125]. These Plaintiffs also filed a Motion for Summary Judgment [docket 124].

5. Crowley wishes to also clarify these Plaintiffs' unsupported and out of context factual allegations and legal arguments discussed in their Motion in Opposition to Crowley Towing and Transportation Co. and Seafarers International Union Motions for Summary Judgment [docket 125].

6. Pursuant to Local Rule 7(c), Crowley hereby requests leave from this Court to file a Reply to Plaintiffs' Motion in Opposition to Crowley Towing and Transportation Co. and Seafarers International Union Motions for Summary Judgment [docket 125]. Leave is warranted, as there are certain allegations made by the Plaintiffs in their Second Motion that require clarification and correction.

7. Crowley requests this Court to allow it to reply in one document to both Oppositions to Summary Judgment filed by Plaintiffs [dockets 121 and 125], in order to not duplicate its arguments and for purposes of judicial economy. In addition, Crowley also requests an extension of time to oppose Ortiz's and Ilarraza's Motion for Summary Judgment [docket 124]. To this effect, it is respectfully requested that the Court grant Crowley thirty (30) days to file its reply to the two (2) Oppositions to Motion for Summary Judgment [dockets 121 and 125] filed by Plaintiffs and Opposition to Summary Judgment [docket 124], all in one document. This would set the deadline to October 11, 2004 to file the Reply and Opposition to Summary Judgment.

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WHEREFORE, Crowley respectfully requests from this Honorable Court that it be granted leave to file a Reply to the two (2) Oppositions to Motions for Summary Judgment filed by the Plaintiffs and file an Opposition to Motion for Summary Judgment, up to and including October 11, 2004.

RESPECTFULLY SUBMITTED.

In San Juan, Puerto Rico, this 9th. day of September, 2004.

CERTIFICATE OF SERVICE: We hereby certify that on this same date we electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to the following: Ana R. Biascoechea, Esq., biascoechea@microjuris.com, Ellen Silver, Esq., esilver@seafarers.org, and Benito Gutiérrez-Díaz, Esq., lcdobenitogutierrez@libertypr.net. We also certify that we have mailed by United States Postal Service the document to the following non CM/EDF participants: J. H. Zidell, Esq., City National Bank Building, 300 71st St., Suite 605, Miami Beach, FL 33141 and Luis A. Suárez, Esq., Calle Felipe Goyco 503, San Juan, PR 00915.

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s/**RAQUEL M. DULZAIDES**
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